

REMARKS

Applicant has noted that the Examiner has indicated that the rejection of claims 1 to 10 under 35 U.S.C. 103(a) as being unpatentable over Chiappetta et al is moot in view of Applicant's previous Amendment.

Reconsideration and withdrawal of the rejection of claims 11 to 23 under 35 U.S.C. 103(a) as being unpatentable over Chiappetta et al in view of Peterson et al, are respectfully requested.

Applicant respectfully submits that contrary to the position taken by the Examiner, the method according to Chiappetta et al fundamentally differs from the method according to the present invention.

In the method according to Chiappetta et al, the outer strands are not already during stranding pressed to the finally intended extent into the synthetic material. This is absolutely clear from the passage in lines 53 and 54 in column 2 as well as from Fig. 2 of the reference. The reference states that "wire

strands are helically laid around the jacket 18 of the core as shown in Fig. 2." After stranding, the outer ropes are pressed in only to about $\frac{1}{4}$ of their diameter into the **sheeting 18**.

In the following lines 54 to 62 of column 2 it is described that the outer ropes or strands are only then further pressed by a cold-forming method into the synthetic material in order to reach the position which they assume in the final paragraph. The goal of the cold-forming is to place the outer strands into their final position which is already substantially surrounded by the synthetic material.

While the arrangement of the outer strands in the method according to Chiappetta requires two separate method steps, namely, initially the stranding and subsequently the cold-forming for arranging the outer strands in the synthetic material in the final positions thereof, these two method steps for placing the outer strands in the synthetic material in the final positions thereof, these two method steps are combined in the method according to the present invention into one step. It is submitted that the prior art of record does not disclose or suggest this combination of steps, particularly also not the

reference to Chiappetta et al.

Moreover, the cold-forming method according to Chiappetta et al seeks to meet a completely different object than is the case with hammering in the method according to the present invention.

As previously pointed out, the goal of the cold-forming method is to press the outer strands into the synthetic material. The fact that the areas of the outer strands or crown wires located near the surfaces of the wires are deformed to some extent is an inevitable result occurring during the cold-forming process. At any rate, the outer areas of the outer strands and also the wires located near the outside are not deformed as long as they are not located at the surface but radially substantially more inwardly. A deformation of the inner areas is not described or intended.

Claim 11 has been amended to set forth the invention more clearly. Specifically, the claim has been amended to include the above-mentioned feature that, after stranding resulting in significant deformation, even the areas of the outer strands

which are located substantially inwardly are also hammered as are the wire section located at the cable circumference.

However, the method according to the present invention is also not disclosed or suggested to those skilled in the art even when taking the references to Chiappetta et al and Peterson et al together. Hammering of the ropes is a method which has been known for a long time and which was discussed in connection with the state of the art in the original application papers. Starting from the reference to Chiappetta et al, those skilled in the art had no indication, as indicated in Fig. 3, to subject the wire cable to another cold-forming process, particularly hammering. Since the wire cable is in the state according to Fig. 3 already finished, it would not make sense or do damage to the wire cable if the additional step was taken. Hammering of the rope because of the embedding of the outer strands in the synthetic material would not lead to the result obtained by the present invention which is to deform the further inwardly located areas of the outer strands.

In addition, it is once again respectfully pointed out that in accordance with the reference to Chiappetta et al it would

not even be possible that the substantial deformation of the outer strand layers would be achievable in accordance with the present invention without the outer strands being further and further pressed into the synthetic material until they finally rest against each other. While it is stated in column 3, lines 9 to 16, that "the majority of each strand 20 retains its substantially round geometry" the present invention surprisingly achieves practically the opposite result. From actual practice the concept according to the present invention was also not obvious because the measure according to the present invention is comparable to a blacksmith who wants to process a work piece would not put the work piece on an anvil but on a cushion.

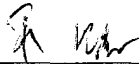
The reference to Peterson et al does also not disclose or suggest the present invention as claimed, even when combined with Chiappetta et al. The wire rope disclosed in this reference consists entirely of wire and has no synthetic material. The reference does not provide any suggestions with respect to the deformation behavior of wire ropes which contain synthetic material.

Accordingly, it is respectfully submitted that the claims presently in the application are distinguished over the prior art of record.

Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 9, 2010.

By: 
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